

**AMENDMENTS TO THE DRAWINGS**

The attached drawing sheet sheets include includes changes to Fig. 7 and Fig. 8.

Attachment: Two Replacement Sheets

**REMARKS**

Claims 1, 3-6, 11, 13 and 15-66 are pending. Claims 7-10 and 14 have been canceled; and claims 21, 22 and 24-32 have been allowed. Claims 10-11, 14, 20 and 23 are indicated as allowable if rewritten. The applicants respectfully request reconsideration and allowance of this application in view of the above amendments and the following remarks.

The drawings filed on January 3, 2006 were not approved. Accordingly, submitted herewith are replacement drawing sheets for Fig. 7 and Fig. 8. In Fig. 7, block S118 has been corrected. Also, in Fig. 8, the wording "BAS" has been corrected to "BAG." Approval of the amended drawings is respectfully requested.

The amended specification is objected to on the basis that it includes new matter. The examiner states that it is new matter to change "an assistance drive on an assistance driver's seat" to "a passenger (including a driver) on a passenger seat," allegedly because "including a driver" is not supported in the disclosure as filed. To the contrary, this amendment is supported in the original specification, for example, page 2, line 10 ("a passenger (possibly including a driver))."

Furthermore, the examiner objects to the amended paragraph on page 4. This paragraph has been revised to delete the phrase "(including a driver)." The examiner objects to the amended paragraph on page 8. This paragraph has been revised to read "S100" rather than "s100". Also, the examiner objects to the amended paragraph on page 11, and requests that the wording read "sensors 1 and 11." The paragraph has been amended as requested. In view of the amended specification, the examiner is respectfully requested to withdraw the objections thereto.

Claims 4 and 23 were rejected under 35 USC 112, second paragraph, as being indefinite. The applicants respectfully request that this rejection be withdrawn for the following reasons. In claims 4 and 23, the examiner's suggested wording has been adopted and both claims have been

amended similarly. Moreover, claim 23 depends from allowable claim 21 and is now believed to be allowable.

On page 8 of the office action, dependent claims 10, 11, 14, and 20 were objected to, but indicated as being allowable if rewritten in independent form. Claim 1 has been amended to include all the features of claims 7-10; claim 11 has been rewritten in independent form to include claims 1, 7, 8 and 9; and claim 20 has been rewritten in independent form to include claim 1. Claims 7-10 have been canceled. It is respectfully submitted that claims 1, 11, and 20 as rewritten are allowable. In view of the above, the applicants submit that claims 1, 11, and 20 are patentable.

The applicants have amended or rewritten the claims in independent form since the office action indicated that claims 10, 11, 14 and 20 would be allowable if so re-written. However, the applicants do not concede that other features in the claims are found in the prior art. The applicants wish to clarify for the record, if necessary, that the claims have been amended to expedite prosecution. Any narrowing amendment to the claims in the present Amendment is not to be construed as a surrender of any subject matter between the original claims and the present claims; rather this is merely an attempt at providing one or more definitions of what the applicants believe to be suitable patent protection. In addition, the present claims provide the intended scope of protection that the applicants are seeking for this application. Therefore, no estoppel should be presumed, and the applicants' claims are intended to include a scope of protection under the Doctrine of Equivalents.

Claims 1, 4, 7-9 and 18 were rejected under 35 USC 102(b) as being anticipated by U.S. Patent No. 6,345,110, Niyogi et al. ("Niyogi"). Claims 3, 5-6 and 19 were rejected under 35 USC 103(a) as being unpatentable over Niyogi in view of U.S. Patent No. 6,662,093, Farmer

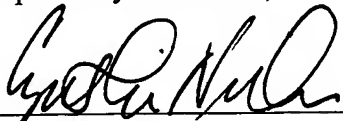
("Farmer"). Claims 13 and 15 were rejected under 35 USC 103(a) as being unpatentable over Niyogi in view of U.S. Patent No. 6,116,639, Breed et al. ("Breed"). Claims 16-17 were rejected under 35 USC 103(a) as being unpatentable over Niyogi in view of U.S. Patent No. 6,781,705, Waslowski et al. ("Waslowski"). Claim 1 as amended should be allowable for including all the features of claims 7-10. It is respectfully submitted therefore that the rejections should be withdrawn.

The applicants respectfully request entry of the present amendment for the following reasons. The amendments to the claims do not raise new issues requiring further search. The amendments made to the claims are minor changes performed in response to the Examiner's comments. Also, the amendments to the claims place the application in better form for appeal by materially simplifying the issues, i.e., correcting formality requirements. Accordingly, the applicants respectfully request entry of the present Amendment.

In view of the foregoing, the applicants submit that this application is in condition for allowance. A timely notice to that effect is respectfully requested. If questions relating to patentability remain, the examiner is invited to contact the undersigned by telephone.

If there are any problems with the payment of fees, please charge any underpayments and credit any overpayments to Deposit Account No. 50-1147.

Respectfully submitted,

  
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